

PATENT

Docket No. 2026-4282 #7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : SZU et al.  
Serial No. : 09/744,289 Group Art Unit: TBA  
Filed : January 22, 2001 Examiner: TBA  
For : **VACCINES AGAINST ESCHERICHIA COLI O157 INFECTION**

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

COMMISSIONER FOR PATENTS  
BOX MISSING PARTS  
Washington, D.C. 20231

**RECEIVED**  
**27 AUG 2001**  
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International Division

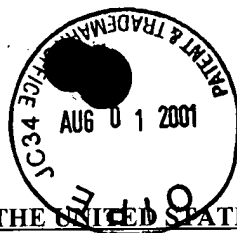
Sir:

In response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) mailed February 6, 2001, submitted herewith are the executed Combined Declaration and Power of Attorney forms, signed by the named inventors, Dr. Shousun Szu and Dr. John Robbins, on their own behalf and signed by Yvonne Ageyman Konadu on behalf of the deceased inventor (Dr. Edward Konadu)'s representative, together with the Fee of \$130.00, and a Petition and Fee for Extension of Time of \$1,890.00, as well as a copy of the Notification itself.

08/07/2001 HNGUYEN 00000141 09744289  
02 FC:154 130.00 0P

Dated: August 1, 2001  
Mailing Address:  
MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.  
By: Mary J. Morfy  
Mary J. Morfy  
Registration No. 34,398



2026-4282

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For : VACCINES AGAINST ESCHERICHIA COLI O157 INFECTION

TRANSMITTAL LETTER

Commissioner for Patents  
BOX MISSING PARTS  
Washington, D.C. 20231

Sir:

Transmitted herewith is:

- 1) Express Mail Certificate, including Express Mail Label No. EL853255295US
- 2) Petition and Fee for Extension of Time (37 C.F.R. § 1.136(a)), including check for \$1890.00 (2 copies)
- 3) Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), including check for \$130.00
- 4) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- 5) Executed Combined Declaration and Power of Attorney form for Shousun Chen Szu and John B. Robbins (4 pages)
- 6) Executed Combined Declaration and Power of Attorney form for Yvonne Ageyman Konadu (4 pages)
- 7) Executed Change of Correspondence Address
- 8) Executed Associate Power of Attorney
- 9) Return receipt postcard

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4282. DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: August 1, 2001  
MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800 Telephone

By: Mary J. Morry  
Mary J. Morry  
Registration No. 34,398

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SZU et al.

Group Art Unit: TBA

Serial No.: 09/744,289

Examiner: TBA

Filed: January 22, 2001

For: VACCINES AGAINST ESCHERICHIA COLI O157 INFECTION

EXPRESS MAIL CERTIFICATE

Express Mail Label No.: EL853255295US

Date of Deposit: August 1, 2001

I hereby certify that the following attached paper(s) and/or fee

- 1) Transmittal Letter (2 copies)
- 2) Petition and Fee for Extension of Time (37 C.F.R. § 1.136(a)), including check for \$1890.00 (2 copies)
- 3) Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), including check for \$130.00
- 4) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
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is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, BOX MISSING PARTS, Washington, D.C. 20231.

Jesus Raul Remedios

(Typed or printed name of person mailing paper(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DCKET NO.
09/744289	KONADU	E
MORGAN & FINNEGAN ROBIN & FINNEGAN LLP 345 PARK AVENUE NEW YORK, NY 10154 0053		2026-4282US
INTERNATIONAL APPLICATION NO.		
PCT/US98/14976		
I.A. FILING DATE		PRIORITY DATE
20 JUL 98		
DATE MAILED: 06 FEB 2001		

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☐ a non-English language.
  - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_
- ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed \_\_\_\_\_
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
- ☒ Other: PCT/RO/101, PCT/IB/306

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☒ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Barbara A. Campbell

Telephone: 703-305-3631